

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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Order Filed on September 17, 2018
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U.S. Bankruptcy Court
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-2(c)

46803

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Attorney for Ally Servicing LLC, servicer for Ally
Financial

In Re:

DARRYL B. MONTICELLO

Case No.: 16-25565

Adv. No.:

Hearing Date: 8-8-18

Judge: KCF

**ORDER FOR MONTHLY PAYMENTS AND STAY RELIEF UNDER CERTAIN
CIRCUMSTANCES**

The relief set forth on the following pages, numbered two (2) is hereby **ORDERED**.

DATED: September 17, 2018

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson".

Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Darryl B. Monticello

16-25565(KCF)

Order Providing for Monthly Payments for Stay Relief under Certain Circumstances

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This matter having been brought on before this Court on creditor's certification of default filed by John R. Morton, Jr., Esq., attorney for Ally Servicing LLC, servicer for Ally Financial, with the appearance of Marc Capone, Esq. on behalf of the debtor, and this order having been filed with the Court and served upon the debtor and his attorney and the non-filing co-debtor, Kristine Monticello under the seven day rule with no objections having been received as to the form or entry of the order, and for good cause shown;

IT IS ORDERED:

1. That Ally Servicing LLC is the servicer for Ally Financial, the holder of a first purchase money security interest encumbering a 2012 Honda Odyssey bearing vehicle identification number 5FNRL5H68CB072171 (hereinafter the "vehicle").
2. **Curing arrears:** The debtor shall make the July retail installment contract to Ally by 8-10-18 and the August payment by 8-31-18. If the debtor fails to make either payment on those dates, Ally Servicing LLC, servicer for Ally Financial shall receive stay relief as to the debtor and non-filing co-debtor, Kristine Monticello to repossess and sell the vehicle by filing a certification of nonpayment and serving it upon the debtor, his attorney and the non-filing co-debtor.
3. After curing arrears, the debtor shall make all retail installment contract payments to Ally Servicing LLC, servicer for Ally Financial when due, being the 8th day of each month. In the event the debtor fails to make any payment for a period of 30 days after it falls due, Ally Servicing LLC, servicer for Ally Financial shall receive stay relief as to the debtor and non-filing co-debtor, Kristine Monticello to repossess and sell the vehicle by filing a certification of nonpayment and serving it upon the debtor, his attorney and the non-filing co-debtor.
4. The debtor shall maintain insurance on the vehicle in accordance with the terms of the retail installment contract. In the event of a lapse of insurance for any period of time without intervening coverage, Ally Servicing LLC, servicer for Ally Financial shall receive stay relief as to the debtor and non-filing co-debtor, Kristine Monticello to repossess and sell the vehicle by filing a certification that insurance has lapsed with the court and serving it upon the debtor, his attorney and the non-filing co-debtor.
5. The debtor shall pay to Ally Servicing LLC, servicer for Ally Financial through the plan, a counsel fee of \$350 which shall be paid by the trustee as an administrative priority expense.

